

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SOMPO JAPAN INSURANCE COMPANY OF AMERICA,	:	x
Plaintiff,	:	07-CV-6476 (JGK) (THK)
- against -	:	ANSWER TO CROSS-CLAIM
HANKYU EXPRESS INTERNATIONAL CO., LTD., and KOREAN AIR LINES CO., LTD.,	:	
Defendants.	:	
KOREAN AIR LINES CO., LTD.,	:	x
Third-Party Plaintiff,	:	
- against -	:	
INTERNATIONAL CARGO MARKETING CONSULTANTS, INC. d/b/a Alliance Airlines,	:	
Third-Party Defendant.	:	

Defendant KOREAN AIR LINES CO., LTD. (hereinafter "KAL"), by its attorneys Clyde & Co US LLP, answers the cross-claim in defendant HANKYU EXPRESS INTERNATIONAL CO., LTD's ("hereinafter "HANKYU") Answer with Cross-Claim to Plaintiff's Complaint as follows:

1. Denies the allegations in paragraphs 41 and 42 of the Answer with Cross-Claim.

**AFFIRMATIVE DEFENSES**

2. KAL hereby adopts, incorporates by reference, and asserts as affirmative defenses to the allegations, claims and/or causes of action set forth in the cross-claim, each and every affirmative defense set forth in KAL's Answer to Plaintiff's Complaint dated August 27, 2007.

3. Defendant HANKYU's cross-claim is barred by the two-year period of limitations set forth by Article 35 of the Montreal Convention and/or KAL's conditions of contract and, therefore, the cross-claim must be dismissed.

WHEREFORE, KAL demands judgment dismissing the cross-claim in its entirety.

Dated: New York, New York  
September 14, 2007

CLYDE & CO US LLP

By: Andrew J. Harakas  
Andrew J. Harakas (AH 3515)  
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Attorneys for Defendant  
KOREAN AIR LINES CO., LTD.

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Hankyu Express International Co., Ltd.

International Cargo Marketing Consultants, Inc.  
d/b/a Alliance Airlines  
P.O. Box 66751  
AMF O'Hare International Airport - Cargo Building 517  
Chicago, Illinois 60666-0751

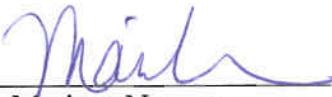
**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK      )  
                                  ) ss.:  
COUNTY OF NEW YORK    )

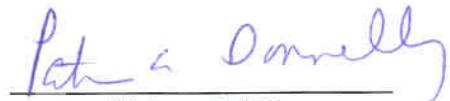
Mariana Nannarone, being duly sworn, deposes and says that deponent is not a party of this action, is over 18 years of age and resides in Brooklyn, New York. On September 14, 2007 deponent served the within **ANSWER TO CROSS-CLAIM** upon:

International Cargo Marketing Consultants, Inc.  
d/b/a Alliance Airlines  
P.O. Box 66751  
AMF O'Hare International Airport - Cargo Building 517  
Chicago, Illinois 60666-0751

The address(es) designated by said attorney(s) for that purpose by depositing a true copy thereof enclosed in a post-paid properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

  
Mariana Nannarone

Sworn to before me this  
14<sup>th</sup> day of September, 2007

  
\_\_\_\_\_  
Notary Public

PATRICIA A. DONNELLY  
Notary Public, State of New York  
No. 01DO5087441  
Qualified in New York County  
Commission Expires Nov. 30, 2009